

CARLSMITH BALL LLP  
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VINCENT J. SEMAN  
Carlsmith Building, Capitol Hill  
P.O. Box 5241  
Saipan, MP 96950-5241  
Tel No. 670.322.3455  
Attorneys for Plaintiff  
Seattle Refrigeration Company

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

SEATTLE REFRIGERATION COMPANY,  
Plaintiff,  
vs.  
CRYSTAL SEAS-CNMI, INC.,  
Defendant.

MC 08-00027

APPLICATION FOR AMENDED WRIT  
OF EXECUTION; EXHIBITS A-C;  
DECLARATION OF VINCENT J.  
SEMAN

Comes now Vincent J. Seman, attorney of record for Plaintiff Seattle Refrigeration Company, and petitions this Honorable Court to grant its Application for Amended Writ of Execution against the property of Respondent CRYSTAL SEAS-CNMI, INC. to expressly order all banking institutions doing business in the Commonwealth of the Northern Mariana Islands to release any funds belonging to Respondent to satisfy judgment in favor of Petitioner. In support of said request it is shown:

1. On June 6, 2008 this Court issued a Writ of Execution to enforce judgment against Defendant Crystal Seas CNMI, Inc.

2. On July 16, 2008 the Writ of Execution was served on First Hawaiian Bank, Saipan, CNMI by W.M. Calvert, U.S. Marshall. A copy of the Process Receipt and Return is attached hereto, marked as Exhibit A and incorporated herein by reference.

3. Pursuant to this Court's Order, First Hawaiian Bank, Saipan, CNMI paid Petitioner \$62.50 from funds belonging to Respondent held by said bank. A copy of the Official Bank Check dated August 27, 2008 in the amount of \$62.50 is attached hereto, marked as Exhibit B and incorporated herein by reference.

4. The amount received by First Hawaiian Bank, Saipan, CNMI is insufficient to satisfy the underlying judgment against Respondent in favor of Petitioner.

5. Petitioner wishes to expand the Court's Writ of Execution to properly authorize and command all other banking institutions doing business in the Commonwealth of the Northern Mariana Islands to release any funds belonging to Respondent to satisfy judgment in favor of Petitioner.

Based on foregoing, Petitioner respectfully requests that the Court grant its Application for Issuance of Amended Writ of Execution against the property of Respondent CRYSTAL SEAS-CNMI, INC. to expressly order all banking institutions doing business in the Commonwealth of the Northern Mariana Islands to release any funds belonging to Respondent to satisfy judgment in favor of Petitioner.

CARLSMITH BALL LLP

DATED: Saipan, MP, September 4, 2008.

/s/ Vincent J. Seman  
JOHN D. OSBORN  
VINCENT J. SEMAN  
Attorneys for Plaintiff  
Seattle Refrigeration Company

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UNITED STATES DISTRICT COURT  
FOR THE  
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SEATTLE REFRIGERATION COMPANY,  
Plaintiff,

vs.

CRYSTAL SEAS-CNMI, INC.,  
Defendant.

MC 08-00027

DECLARATION OF VINCENT J.  
SEMAN

**DECLARATION OF COUNSEL**

The undersigned, under penalty of law, declares as follows:

1. I am an attorney with Carlsmith Ball LLP, attorneys for Petitioner SEATTLE REFRIGERATION COMPANY ("Petitioner") in this action.
2. I am authorized and competent to testify to the matters set forth herein, and unless otherwise indicated, I make this declaration based upon personal knowledge.
3. On or about June 6, 2008, this Court issued a Writ of Execution to enforce judgment against Defendant Crystal Seas CNMI, Inc.

1 4. Attached as Exhibit A to Petitioner's Application for Amended Writ of Execution against  
2 the property of Respondent CRYSTAL SEAS-CNMI, INC. is a true and correct copy of the  
3 Process Receipt and Return.

4 5. Attached as Exhibit B to Petitioner's Application for Amended Writ of Execution against  
5 the property of Respondent CRYSTAL SEAS-CNMI, INC. is a true and correct copy of the  
6 Official Bank Check dated August 27, 2008 in the amount of \$62.50.

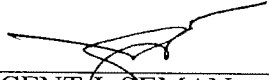
7 6. To date, the balance of the judgment has not been fully satisfied.

8 7. Attached hereto as Exhibit C to Petitioner's Application for Amended Writ of Execution  
9 against the property of Respondent CRYSTAL SEAS-CNMI, INC. is Petitioner's proposed form  
10 of Amended Writ of Execution.

11 I hereby declare under penalty of law that the foregoing is true and correct to the best of  
12 my knowledge.

13 CARLSMITH BALL LLP

14  
15 DATED: Saipan, MP, September 4, 2008.

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17 VINCENT J. SEMAN  
18 Attorneys for Plaintiff  
19 Seattle Refrigeration Company  
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U.S. Department of Justice  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**  
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF SEATTLE REFRIGERATION COMPANY	COURT CASE NUMBER MC 08-00027
DEFENDANT CRYSTAL SEAS-CNMI, INC	TYPE OF PROCESS WRIT OF EXECUTION
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <b>SERVE AT</b> { 1st Hawaiian Bank, Crystal Seas-CNMI, Inc.; Credit Acct. 17010743 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) Saipan	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW VINCENT J. SEMAN (VSEMAN@CARLSMITH.COM) CARLSMITH BUILDING, CAPITAL HILL PO BOX 5241 SAIPAN MP 96950 670-322-3455 TEL / 670-322-3368 FAX	
Number of process to be served with this Form 285 01	COPY of Original Filed on this date JUL 16 2008
Number of parties to be served in this case 02	Clerk N/A District Court For The Northern Mariana Islands
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Note: FHB MGR must forward to FHB Regional Compliance Center in Honolulu Hawaii to Asst Authorization to withdraw Funds. FHB Saipan placed a hold on all Transfers & withdrawals effective 6/11/08

Signature of Attorney other Originator requesting service on behalf of: ☒ PLAINTIFF ☐ DEFENDANT  
TELEPHONE NUMBER 670-322-3455  
DATE 6/11/08

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process 01	District of Origin No. 005	District to Serve No. 005	Signature of Authorized USMS Deputy or Clerk C. DUSM #3086	Date 06/11/08
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I hereby certify and return that I ☒ have personally served, ☒ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)  
Victoria B. Concepcion  
Address (complete only different than shown above)  
Asst VP & Branch Mgr  
First Hawaiian Bank  
PO Box 500625  
Saipan MP 96950  
Beach Rd Center

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

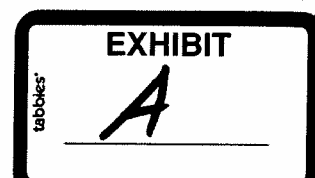
Date 07-16-08 Time 2:35 pm  
Signature of U.S. Marshal or Deputy  
W. M. Calvert

Service Fee 90.00	Total Mileage Charges (including endeavors) \$1.92	Forwarding Fee \$0.00	Total Charges \$1.92	Advance Deposits 45.00	Amount owed to U.S. Marshal* or (Amount of Refund*) \$46.92
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REMARKS: 6-13-08 1st Endeavor @ Bank Attorney stopped service. Fee only Waive Mileage. All Fee's paid in advance unless ordered by court for the United States to advance. If the U.S. is ordered to advance then Plaintiff's are responsible for all fee's to the USMS prior to the closing of the fiscal year, unless ruled as Pauper by Court Order. \$45.00 per hour & per endeavor for each DUSM assigned / \$00.48 per mile

- PRINT 5 COPIES:**
1. CLERK OF THE COURT
  2. USMS RECORD
  3. NOTICE OF SERVICE
  4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
  5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED



Form USM-285  
Rev. 12/15/80  
Automated 01/00

1142179 2 99-79  
1211

**OFFICIAL BANK CHECK**

**MAITE**

DATE: **08/27/2008**

**\$62.50**

PAY \*\*\*SIXTY TWO DOLLARS AND 50 CENTS  
TO THE ORDER OF **CARLSMITH BALL LLP**

Two Signatures Required for \$100,000 and Over

**RE:CRYSTAL SEAS-CNMI INC**



**First Hawaiian Bank 1213**

P.O. Box 3200 Honolulu, HI 96847-8916

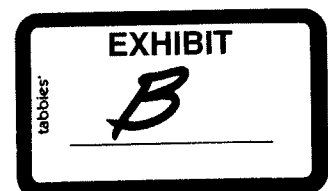
Payable through Bank of the West, Walnut Creek, CA

Authorized Signature

Authorized Signature

THIS DOCUMENT PRINTED ON TRUE WATERMARK PAPER - HOLD TO THE LIGHT TO VIEW.

⑈ 11421792⑈ ⑆ 121100782⑆ 184007912⑈ 9450



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Attorneys for Plaintiff  
Seattle Refrigeration Company

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

SEATTLE REFRIGERATION COMPANY, a  
Washington corporation,

Plaintiff,

vs.

CRYSTAL SEAS-CNMI, INC., a corporation  
formed and operated under the laws of the  
Commonwealth of the Northern Marianas  
Islands,

Defendant.

MC 08-00027

AMENDED WRIT OF EXECUTION

TO: Commissioner of Public Safety  
Any Department of Public Safety Officer  
Any Officer of the Court

WHEREAS on June 6, 2008 this Court issued a Writ of Execution to enforce a judgment  
against Defendant Crystal Seas CNMI, Inc.; and

WHEREAS as of September 2, 2008 said judgment has not yet been satisfied.

NOW THEREFORE, any person to whom this Amended Writ may be given are hereby  
commanded and authorized to satisfy said Judgment with interest and costs by levying execution  
upon Respondent's property not exempt from execution of the judgment debtor in order to satisfy

the balance due on the Judgment in the principal amount of \$81,201.47, prejudgment interest in the amount of \$11,893.23, attorney fees in the amount of \$5,000.00; costs in the amount of \$366.25, and post-judgment in the amount of 1.94% per anum, together to which must be added the costs and commissions of the officer executing this Amended Writ.

IN FURTHERANCE OF THIS AMENDED WRIT, you are hereby required and directed to levy upon any and all bank deposits, accounts and credits held in the name of Crystal Seas CNMI, Inc., also known as USA Islands Seafood, Inc., respectively at:

1. First Hawaiian Bank, Saipan, Commonwealth of the Northern Mariana Islands
2. Bank of Hawaii, Saipan, Commonwealth of the Northern Mariana Islands
3. Bank of Guam, Saipan, Commonwealth of the Northern Mariana Islands
4. BankPacific, Saipan, Commonwealth of the Northern Mariana Islands
5. Bank of Saipan, Saipan, Commonwealth of the Northern Mariana Islands
6. City Trust Bank, Saipan, Commonwealth of the Northern Mariana Islands

UPON TAKING POSSESSION OF any funds of Defendant, you shall deliver them forthwith to the attorney for the plaintiff, Carlsmith Ball, Saipan, Commonwealth of the Northern Mariana Islands.

YOU ARE FURTHER INSTRUCTED to make and to make your return of this Writ not less than ten (10) days nor more than sixty (60) days following receipt thereof, with what you have done endorsed thereto.

DATED: \_\_\_\_\_, 2008.

\_\_\_\_\_  
ALEX R. MUNSON  
Chief Judge